IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 115 of 2006 (M/B)

1. B.D. Pathak (Father in Law),
   S/o Sri Jagannath Pathak,
   R/o B-1401, Indira Nagar,
   Lucknow (U.P.).
2. Smt. Tara Pathak, (Mother in Law),
   W/o Sri B.D. Pathak,
   R/o B-1401, Indira Nagar,
   Lucknow (U.P.).
3. Ajay Pathak S/o Sri B.D. Pathak (Husband),
   R/o Nuclear Power Corporation of India Ltd.,
   Narora (Bulandshahar),
   Uttar Pradesh. ……. Petitioners

Versus

1. State of Uttaranchal,
2. Station House Officer,
   P.S. Cantt, District Dehradun.
3. Smt. Mayuri W/o Ajay Pathak,
   D/o Harishankar Joshi,
   R/o 16 Vanasthali, Ballupur,
   District Dehradun. ……. Respondents

Mr. J.C. Joshi, Senior Counsel with Mr. Chetan Joshi, Advocate for the petitioners.
Mr. H.C. Pande, Addl. Government Advocate for respondents Nos. 1 & 2.
None for respondent No. 3.

JUDGMENT

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble Prafulla C. Pant, J.

RAJEEV GUPTA, C. J. (Oral)

Mr. J.C. Joshi, Senior Counsel with Mr. Chetan Joshi, Advocate for the petitioners.

Mr. H.C. Pande, Addl. Government Advocate for respondents Nos. 1 & 2.

None for respondent No. 3.

2. Mr. H.C. Pande, the learned Addl. Government Advocate submits that the writ petition filed by petitioners B.D. Pathak, Smt. Tara Pathak and Anay Pathak seeking quashing of the First Information Report and the case registered against them, now, has become infructuous, as the Police, after the completion of the investigation, has filed charge sheet against the petitioners before the concerning Court.

3. In this view of the matter, the writ petition is dismissed as infructuous.

4. Consequently, the interim order dated 07.02.2006 stands vacated automatically.

5. With the above order, CLMA No. 3894 of 2006 also stands disposed of.

(Prafulla C. Pant, J.) 03.07.2006

(Rajeev Gupta, C. J.) 03.07.2006

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